



Billing Code 9110-12-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 64

Docket ID FEMA-2012-0003

[Internal Agency Docket No. FEMA-8217]

Suspension of Community Eligibility

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Final rule.

SUMMARY: This rule identifies communities where the sale of flood insurance has been authorized under the National Flood Insurance Program (NFIP) that are scheduled for suspension on the effective dates listed within this rule because of noncompliance with the floodplain management requirements of the program. If the Federal Emergency Management Agency (FEMA) receives documentation that the community has adopted the required floodplain management measures prior to the effective suspension date given in this rule, the suspension will not occur and a notice of this will be provided by publication in the Federal Register on a subsequent date.

EFFECTIVE DATES: The effective date of each community's scheduled suspension is the third date ("Susp.") listed in the third column of the following tables.

FOR FURTHER INFORMATION CONTACT: If you want to determine whether a particular community was suspended on the suspension date or for further information, contact David Stearrett, Federal Insurance and Mitigation Administration, Federal

Emergency Management Agency, 500 C Street SW, Washington, DC 20472, (202) 646-2953.

SUPPLEMENTARY INFORMATION: The NFIP enables property owners to purchase Federal flood insurance that is not otherwise generally available from private insurers. In return, communities agree to adopt and administer local floodplain management aimed at protecting lives and new construction from future flooding. Section 1315 of the National Flood Insurance Act of 1968, as amended, 42 U.S.C. 4022, prohibits the sale of NFIP flood insurance unless an appropriate public body adopts adequate floodplain management measures with effective enforcement measures. The communities listed in this document no longer meet that statutory requirement for compliance with program regulations, 44 CFR part 59. Accordingly, the communities will be suspended on the effective date in the third column. As of that date, flood insurance will no longer be available in the community. We recognize that some of these communities may adopt and submit the required documentation of legally enforceable floodplain management measures after this rule is published but prior to the actual suspension date. These communities will not be suspended and will continue their eligibility for the sale of insurance. A notice withdrawing the suspension of the communities will be published in the Federal Register.

In addition, FEMA publishes a Flood Insurance Rate Map (FIRM) that identifies the Special Flood Hazard Areas (SFHAs) in these communities. The date of the FIRM, if one has been published, is indicated in the fourth column of the table. No direct Federal financial assistance (except assistance pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act not in connection with a flood) may be provided for construction or acquisition of buildings in identified SFHAs for communities not

participating in the NFIP and identified for more than a year on FEMA's initial FIRM for the community as having flood-prone areas (section 202(a) of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4106(a), as amended). This prohibition against certain types of Federal assistance becomes effective for the communities listed on the date shown in the last column. The Administrator finds that notice and public comment under 5 U.S.C. 553(b) are impracticable and unnecessary because communities listed in this final rule have been adequately notified.

Each community receives 6-month, 90-day, and 30-day notification letters addressed to the Chief Executive Officer stating that the community will be suspended unless the required floodplain management measures are met prior to the effective suspension date. Since these notifications were made, this final rule may take effect within less than 30 days.

National Environmental Policy Act. This rule is categorically excluded from the requirements of 44 CFR part 10, Environmental Considerations. No environmental impact assessment has been prepared.

Regulatory Flexibility Act. The Administrator has determined that this rule is exempt from the requirements of the Regulatory Flexibility Act because the National Flood Insurance Act of 1968, as amended, 42 U.S.C. 4022, prohibits flood insurance coverage unless an appropriate public body adopts adequate floodplain management measures with effective enforcement measures. The communities listed no longer comply with the statutory requirements, and after the effective date, flood insurance will no longer be available in the communities unless remedial action takes place.

Regulatory Classification. This final rule is not a significant regulatory action under the criteria of section 3(f) of Executive Order 12866 of September 30, 1993, Regulatory Planning and Review, 58 FR 51735.

Executive Order 13132, Federalism. This rule involves no policies that have federalism implications under Executive Order 13132.

Executive Order 12988, Civil Justice Reform. This rule meets the applicable standards of Executive Order 12988.

Paperwork Reduction Act. This rule does not involve any collection of information for purposes of the Paperwork Reduction Act, 44 U.S.C. 3501 et seq.

List of Subjects in 44 CFR Part 64

Flood insurance, Floodplains.

Accordingly, 44 CFR part 64 is amended as follows:

PART 64--[AMENDED]

1. The authority citation for part 64 continues to read as follows:

Authority: 42 U.S.C. 4001 et seq.; Reorganization Plan No. 3 of 1978, 3 CFR, 1978 Comp.; p. 329; E.O. 12127, 44 FR 19367, 3 CFR, 1979 Comp.; p. 376.

§ 64.6 [Amended]

2. The tables published under the authority of § 64.6 are amended as follows:

State and Location	Community No.	Effective date authorization/cancellation of sale of flood insurance in community	Current Effective Map Date	Date Certain Federal assistance no longer available in SFHAs
Region II				
New York: Cobleskill, Town of, Schoharie County.	361573	February 17, 1976, Emerg; January 19, 1983, Reg; February 16, 2012, Susp.	February 16, 2012	February 16, 2012
Richmondville, Town of, Schoharie County.	361197	September 12, 1975, Emerg; January 1, 1988, Reg; February 16, 2012, Susp.	*-do-	-do-
Seward, Town of, Schoharie County.	361199	October 3, 1975, Emerg; September 1, 1988, Reg; February 16, 2012, Susp.	-do-	-do-
Region IV				
Florida: Fort Pierce, City of, Saint Lucie County.	120286	January 16, 1974, Emerg; December 1, 1977, Reg; February 16, 2012, Susp.	-do-	-do-
Port Saint Lucie, City of, Saint Lucie County.	120287	May 7, 1975, Emerg; March 15, 1982, Reg; February 16, 2012, Susp.	-do-	-do-
Saint Lucie County, Unincorporated Areas.	120285	May 31, 1974, Emerg; August 17, 1981, Reg; February 16, 2012, Susp.	-do-	-do-
Saint Lucie Village, Town of, Saint Lucie County.	120288	September 2, 1975, Emerg; April 1, 1980, Reg; February 16, 2012, Susp.	-do-	-do-
Mississippi: Yazoo City, City of, Yazoo County.	280189	December 11, 1973, Emerg; April 15, 1980, Reg; February 16, 2012, Susp.	-do-	-do-
Region V				
Illinois: Carmi, City of, White County.	170681	May 2, 1975, Emerg; January 2, 1981, Reg; February 16, 2012, Susp.	-do-	-do-
Crossville, Village of, White County.	170682	May 23, 1975, Emerg; December 18, 1984, Reg; February 16, 2012, Susp.	-do-	-do-
Grayville, City of, White County.	170683	June 17, 1975, Emerg; August 24, 1984, Reg; February 16, 2012, Susp.	-do-	-do-
Maunie, Village of, White County.	170684	February 11, 1998, Emerg; N/A, Reg; February 16, 2012, Susp.	-do-	-do-

State and Location	Community No.	Effective date authorization/cancellation of sale of flood insurance in community	Current Effective Map Date	Date Certain Federal assistance no longer available in SFHAs
White County, Unincorporated Areas.	170906	March 26, 1980, Emerg; April 3, 1985, Reg; February 16, 2012, Susp.	-do-	-do-
Minnesota: Avon, City of, Stearns County.	270443	November 26, 1976, Emerg; January 3, 1985, Reg; February 16, 2012, Susp.	-do-	-do-
Clearwater, City of, Stearns County.	270536	July 30, 1975, Emerg; November 1, 1979, Reg; February 16, 2012, Susp.	-do-	-do-
Cold Spring, City of, Stearns County.	270444	January 19, 1973, Emerg; August 1, 1977, Reg; February 16, 2012, Susp.	-do-	-do-
Melrose, City of, Stearns County.	270450	March 11, 1974, Emerg; May 19, 1981, Reg; February 16, 2012, Susp.	-do-	-do-
Paynesville, City of, Stearns County.	270452	June 3, 1974, Emerg; August 16, 1994, Reg; February 16, 2012, Susp.	-do-	-do-
Rockville, City of, Stearns County.	270454	April 8, 1975, Emerg; July 16, 1979, Reg; February 16, 2012, Susp.	-do-	-do-
Sauk Centre, City of, Stearns County.	270459	April 16, 1974, Emerg; May 19, 1981, Reg; February 16, 2012, Susp.	-do-	-do-
Saint Cloud, City of, Stearns County.	270456	March 31, 1972, Emerg; April 1, 1977, Reg; February 16, 2012, Susp.	-do-	-do-
Stearns County, Unincorporated Areas.	270546	March 23, 1973, Emerg; March 1, 1979, Reg; February 16, 2012, Susp.	-do-	-do-
Waite Park, City of, Stearns County.	270461	June 13, 1975, Emerg; May 17, 1989, Reg; February 16, 2012, Susp.	-do-	-do-
Region VI				
Oklahoma: Nowata County, Unincorporated Areas.	400504	September 8, 2008, Emerg; N/A, Reg; February 16, 2012, Susp.	-do-	-do-
Nowata, City of, Nowata County.	400136	August 28, 1975, Emerg; January 3, 1986, Reg; February 16, 2012, Susp.	-do-	-do-
South Coffeyville, Town of, Nowata County.	400411	May 9, 1978, Emerg; September 14, 1982, Reg; February 16, 2012, Susp.	-do-	-do-

State and Location	Community No.	Effective date authorization/cancellation of sale of flood insurance in community	Current Effective Map Date	Date Certain Federal assistance no longer available in SFHAs
Region VII				
Missouri: Alexandria, City of, Clark County.	290080	March 13, 1974, Emerg; May 2, 1977, Reg; February 16, 2012, Susp.	-do-	-do-

*-do- =Ditto.

Code for reading third column: Emerg. —Emergency; Reg. —Regular; Susp. —Suspension.

Dated: January 31, 2012

Edward L. Connor,

Deputy Associate Administrator for Federal Insurance

[FR Doc. 2012-3209 Filed 02/10/2012 at 8:45 am; Publication Date: 02/13/2012]